

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Laura Strauss	Team: Squad #6	CCRB Case #: 201810241	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 12/10/2018 9:50 AM	Location of Incident: DMV Traffic Court (625 Atlantic Avenue, 2nd Floor)	Precinct: 78	18 Mo. SOL 6/10/2020	EO SOL 1/25/2021	
Date/Time CV Reported Mon, 12/10/2018 12:38 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 12/10/2018 12:38 PM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. POM William Froehlich	08195	944576	083 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM William Froehlich	Abuse: Police Officer William Froehlich threatened to issue a summons to § 87(2)(b)				

Case Summary

On December 10, 2018, § 87(2)(b) filed this complaint in person at the 83rd Precinct stationhouse. The complaint was forwarded to the CCRB on December 10, 2018.

On December 10, 2018 at approximately 9:50 a.m., § 87(2)(b) and Police Officer William Froehlich of the 83rd Precinct were in DMV Traffic Court, located at 625 Atlantic Avenue, 2nd Floor, in Brooklyn. § 87(2)(b) was responding to two summonses previously issued by PO Froehlich. PO Froehlich told § 87(2)(b) “There will be another time,” in reference to future summonses (**Allegation A: Abuse of Authority**, § 87(2)(g)).

No arrest or summonses resulted from this incident.

An audio recording from DMV Traffic Court captured this incident. The recording can be found in Investigative Action number 49 (Board Review 01) and the summary can be found in Investigative Action number 58 (Board Review 02).

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer William Froehlich threatened to issue a summons to § 87(2)(b)

The audio recording from DMV Traffic Court (Board Review 01) captures the entire Traffic Court hearing, in which the judge dismisses § 87(2)(b)'s two summonses. After the hearing concludes, at the 11:18 minute mark, PO Froehlich states, "There will be another time sir. Guarantee it." § 87(2)(b) asks, "What?" PO Froehlich then states, "There'll be another time."

§ 87(2)(b) testified (Board Review 03) that the judge dismissed the traffic infractions issued by PO Froehlich and when he went to get his disposition from the clerk, PO Froehlich stated, “Don’t worry, there will be another time.” § 87(2)(b) interpreted this statement as a threat that PO Froehlich would issue him additional summonses in the future.

PO Froehlich testified (Board Review 04) that after the hearing, he said, “Catch you later” to the judge and had no further interaction with § 87(2)(b). PO Froehlich did not recall stating to § 87(2)(b) “There will be another time.” When the audio recording was played for PO Froehlich, he confirmed that he heard himself say, “There will be another time.” PO Froehlich testified that he did not independently recall making this statement and could not explain what he meant because he did not recall saying it.

NYPD Patrol Guide, Procedure 209-01, states that officers are authorized to issue a summons for specified conduct that is deemed a misdemeanor or violation (Board Review 05). NYPD Patrol Guide, Procedure 200-02, states that the NYPD is committed to treat every citizen with compassion, courtesy, professionalism, and respect (Board Review 06).

§ 87(2)(g)

§ 87(2)(g)

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§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
[REDACTED]
- PO Froehlich has been a member of service for 11 years and has been a subject in 11 CCRB complaints and 30 allegations, of which three were substantiated.
 - 201703370 involved a substantiated allegation of discourteous word against PO Froehlich. The Board recommended Instructions and the NYPD concurred.
 - 201608263 involved substantiated allegations of a retaliatory summons and discourteous word against PO Froehlich. The Board recommended Command Discipline A and the NYPD concurred.
 - § 87(2)(g) [REDACTED]

Mediation, Civil, and Criminal Histories

- § 87(2)(b) [REDACTED] declined to mediate this complaint.
- As of February 22, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (Board Review 08).
- According to the Office of Court Administration (OCA), § 87(2)(b) [REDACTED] has no history of convictions in New York City (Board Review 09).

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date